

IN RE: PETITION FOR VARIANCE  
E/S Elmwood Road, 93' S of  
the c/l Silverdale Road  
(421 Elmwood Road)  
14th Election District  
6th Councilmanic District  
  
Marvin L. Moser, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-56-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 421 Elmwood Road, located in the vicinity of Harford Road in Fullerton. The Petition was filed by the owners of the property, Marvin L. and Theresa R. Moser. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 2 feet in lieu of the minimum required 2 and 1/2 feet, and a height of 16 feet in lieu of the maximum permitted 15 feet, for an accessory structure (shed). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were Marvin and Theresa Moser, legal owners of the property. Appearing in opposition to the request were Juanita Bosse and Maureen Pitts, adjoining property owners.

Testimony and evidence offered revealed that the subject property consists of .12 acres, more or less, zoned D.R. 5.5 and is improved with a single family duplex dwelling with an attached deck. Also on the property are a 6' x 8' metal shed and another shed, 12' x 18' in dimension, which is the subject of this request. Testimony indicated that the Petitioner

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Date

By

MICROFILMED

recently commenced construction of the 12' x 18' shed. Construction of the shed was nearly complete when the Petitioner was issued a Stop Work Order for failing to obtain a building permit. Due to the height of the shed and its close proximity to the rear property line a variance is necessary. The Petitioners testified that their home has no basement and that they built the shed in order to provide much needed storage space. Further testimony indicated that the shed will be finished with vinyl siding and shingles to match the home on the property.

Appearing in opposition to the Petitioners' request were Juanita Bosse and Maureen Pitts who reside on the adjacent property on the affected side. The Protestants are opposed to the granting of the relief requested. They testified that the shed is very visible from the rear of their home, where they spend a good deal of their time, and submitted photographs taken from their property which show that the shed is an imposing structure. Furthermore, they believe that the shed will impose upon the free flow of air across their property, given the size and magnitude of this structure.

After considering all of the testimony and evidence offered by both the Petitioners and the Protestants, I am persuaded to deny the variance. The size and location of the shed are inappropriate for the subject property, given its size and effect on the adjacent lot. In my view, the size of the structure should be reduced to meet the standards set forth in the zoning regulations. Therefore, the Petitioner shall lower the height of the shed to meet the 15-foot height limitation and move the structure an additional 6 inches off the rear property line. However, as was discussed at the hearing, lowering the height of the shed an additional 1 foot and moving same 6 inches, will do little to minimize the effect this shed will have on adjacent properties. Even at 15 feet in

DATE RECEIVED FOR FILING  
9/24/96  
By [Signature]

height and 2 and 1/2 feet off the rear property line, as required by the regulations, this shed will still be an imposing structure; however, it will conform with the regulations set forth in the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

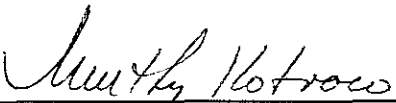
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of September, 1996 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed) with a rear yard setback of 2 feet in lieu of the minimum required 2 and 1/2 feet, and a height of 16 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to bring the shed into compliance with the zoning regulations; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

TMK:bjs

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING

9/25/96



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

September 24, 1996

Mr. & Mrs. Marvin Moser  
421 Elmwood Road  
Baltimore, Maryland 21206

RE: PETITION FOR VARIANCE  
E/S Elmwood Road, 93' S of the c/l Silverdale Road  
(421 Elmwood Road)  
14th Election District - 6th Councilmanic District  
Marvin L. Moser, et ux - Petitioners  
Case No. 97-56-A

Dear Mr. & Mrs. Moser:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Juanita Bosse and Ms. Maureen Pitts  
419 Elmwood Road, Baltimore, Md. 21206

People's Counsel

File

A handwritten checkmark is drawn below the word "File".

MICROFILMED



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-56-A

421 ELMWOOD RD

which is presently zoned

DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 and 400.3 to permit a 2ft rear setback and a 16 ft height in lieu of 2 1/2 ft and 15 ft for an accessory structure.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) SHED IS NEARLY COMPLETED EXCEPT FOR ROOFING TILES, SIDING DOORS AND WINDOWS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

MARVIN L MOSER

(Type or Print Name)

Marvin L Moser

Signature

THERESA R MOSER

(Type or Print Name)

Theresa R Moser

Signature

421 ELMWOOD RD H 410 661 3634  
Address Phone No 410 8806415

BALTIMORE MD 21206  
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

8/1/96

ORDER RECEIVED FOR FILING

Date

Printed with Soybean Ink  
on Recycled Paper

MICROFILMED

ZONING DESCRIPTION FOR 421 ELMWOOD ROAD

97-55-A

Beginning at a point on the East side of Elmwood Road which is 40 feet wide at a distance of 93.42 feet of the centerline of the nearest improved intersecting street Silverdale Road which is 40 feet wide. As recorded in Deed Liber 6730, Folio 346, S.06 20' 50" E. 63 ft., N.83 39' 10" E. 83 ft., N.06 20' 50" W. 63 ft., S.83 39' 10" W. 83 ft. to the place of beginning. Also know as 421 Elmwood Road and located in the 14 Election District, 6 Councilmanic District.

#50

MICROFILMED

-----  
CASE NUMBER: 97-56-A (Item 50)

421 Elmwood Ro.

E/S Elmwood Road, 93' S of c/l Silverdale Road

14th Election District - 6th Councilmanic

Legal Owner(s): Marvin L. Moser and Theresa R.

Post by: 8/25/96

36EZ

Variance to permit a 2 foot rear setback and a 16 foot height in lieu of  
2-1/2 feet and 15 feet for an accessory structure.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old  
Courthouse.  
-----

MICROFILM



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

**97-56-A**

District 14

Date of Posting 8/24/96

Posted for: 9-9-96 HEARING

Petitioner: MOSE

Location of property: 421 ELMWOOD RD

Location of Sign: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by \_\_\_\_\_

Date of return: \_\_\_\_\_

Number of Signs: 1

Signature



**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-56-A  
(Item 50)

421 Elmwood Road  
E/S Elmwood Road, 93' S of  
c/I Silverdale Road  
14th Election District  
6th Councilmanic  
Legal Owner(s):  
Marvin L. Moser and Theresa  
R.

Variance: to permit a 2 foot  
rear setback and a 16 foot  
height in lieu of 2-1/2 feet and  
15 feet for an accessory struc-  
ture.

Hearing: Monday, September  
9, 1996 at 10:00 a.m. in Rm.  
118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible for  
special accommodations  
Please Call 887-3353.

(2) For information concern-  
ing the File and/or Hearing,  
Please Call 887-3391.

8/29/96 Aug 22

C78056

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Aug 22, 1996

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on Aug 22, 1996

**THE JEFFERSONIAN,**

*A. Henrichson*

**LEGAL AD. - TOWSON**

**MICROFILMED**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

# 50

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 50 Petitioner: Marvin L. Moser

Location: 421 Elmwood Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARVIN MOSER

ADDRESS: 421 ELMWOOD RD  
Balto. MD 21266

PHONE NUMBER: 410 661 3634

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# Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: \_\_\_\_\_

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: \_\_\_\_\_



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
North  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: \_\_\_\_\_

Councilmanic District: \_\_\_\_\_

1"=200' scale map#: \_\_\_\_\_

Zoning: \_\_\_\_\_

Lot size: \_\_\_\_\_  
acres      square feet

SEWER: ☐ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: \_\_\_\_\_

## Zoning Office USE ONLY

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

TO: PUTUMENT PUBLISHING COMPANY

August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Marvin

421 Elmwood Road  
Baltimore, MD 21206  
661-3634

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-56-A (Item 50)

421 Elmwood Road

E/S Elmwood Road, 93' S of c/l Silverdale Road

14th Election District - 6th Councilmanic

Legal Owner(s): Marvin L. Moser and Theresa R.

Variance to permit a 2 foot rear setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Report #1

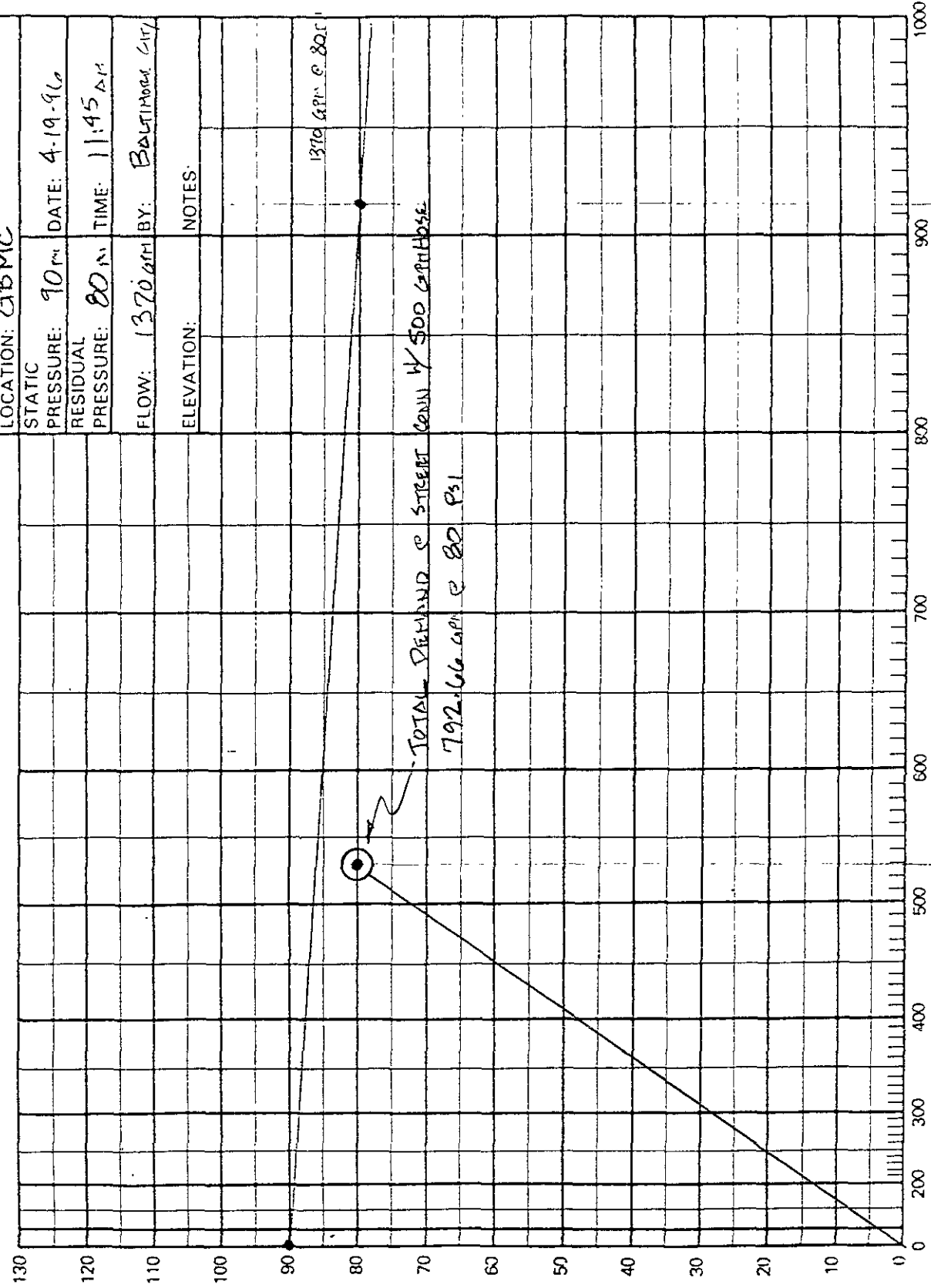
# HYDRAULIC GRAPH Pressure vs. (Flow)<sup>1.85</sup>

LOCATION: GIBMC	
STATIC PRESSURE: 90 PSI	DATE: 4-19-96
RESIDUAL PRESSURE: 80 PSI	TIME: 11:45 AM
FLOW: 1370 GPM	BY: BALTIMORE CIVIL

NOTES:

ELEVATION:

PRESSURE - POUNDS PER SQUARE INCH  
(Multiply Scale by 1)



FLOW - GALLONS PER MINUTE  
(Multiply Scale by 1.5)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-56-A (Item 50)  
421 Elmwood Road  
E/S Elmwood Road, 93' S of c/l Silverdale Road  
14th Election District - 6th Councilmanic  
Legal Owner(s): Marvin L. Moser and Theresa R.

Variance to permit a 2 foot rear setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Marvin and Theresa Moser

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECEIVED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Marvin L. Moser  
421 Elmwood Road  
Baltimore, MD 21206

RE: Item No.: 50  
Case No.: 97-56-A  
Petitioner: Marvin Moser, et ux

Dear Mr. and Mrs. Moser:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

100-100000





BALTIMORE COUNTY, MARYLAND  
ELECTRICAL INSPECTION FEE SCHEDULE  
EFFECTIVE APRIL 1, 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS \$17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

ROUGH WIRING

All switches, receptacles, and lights to be counted as outlets:

FIXTURES	
1 to 50 outlets . . . \$17.00	1 to 50 fixtures . . . \$17.00
For each additional 25 outlets or fraction thereof . . . \$ 3.00	For each additional 25 fixtures or fraction thereof . . . \$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service . . . . .	\$44.00
Not over 200 amp. service . . . . .	\$52.00
Over 200 amp. service . . . . .	\$57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional  
6 or more - \$17.00 per apartment, Service Additional

ADDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules.  
Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of \$5.00 will be made for the first unit 20 KW or less, and \$2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

Secondary Fee	
Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . .	\$17.00 -- \$5.00
1 HP to 40 HP, KW or KVA . . . . .	\$17.00 -- \$5.00
Over 40 HP to 75 HP, KW or KVA . . . . .	\$17.00 -- \$6.00
Over 75 HP, KW or KVA . . . . .	\$17.00 -- \$7.00

NOTE: Where above motor fees exceed \$75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over \$75.00.

NEW SERVICE - RELOCATION OR CHANGE IN SERVICES

Not over 400 amps . . . . .	\$17.00
Over 400, not over 800 amps . . . . .	\$25.00
Over 800 amps . . . . .	\$43.00

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of \$43.00 shall be collected.

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. Federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of \$43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES  
OUTDOOR SUB-STATIONS

Not over 200 KVA . . . . .	\$19.00
Over 200 to 500 KVA . . . . .	\$21.00
Over 500 KVA . . . . .	\$28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding . . . . . \$17.00  
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than . . . . . \$43.00  
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) . . . . . \$17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:  
0 to 10 amp. . . . . \$17.00  
Each additional 5 amp. or fraction thereof . . . \$ 7.00  
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign,  
minimum fee. . . . . \$17.00

Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic,  
1 to 20 HP each . . . . . \$17.00  
Single unit, non-automatic,  
Over 20 HP: apply primary motor schedule.  
Automatic elevators: Add \$5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee . . . . . \$17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices . . . . . \$17.00  
Each additional 5 . . . . . \$ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS  
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW . . . . .	\$17.00
11 to 25 KW . . . . .	\$21.00
26 to 50 KW . . . . .	\$28.00
Over 50 KW . . . . .	\$34.00

Where inspection is not on a one-time basis,  
Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.

Minimum fee . . . . . \$17.00  
Temporaries and inspections requested after the first inspection, when work was not ready, EACH . . . . . \$43.00

Issuance of duplicate certificate . . . \$ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS (\$17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

To Zoning

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 16, 1996

FROM: *[Signature]* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for August 19, 1996  
Item Nos. 043, 045, 046, 047, 050,  
051, and 053

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government  
Department of Community Development

---



One Investment Place Suite 800  
Towson, MD 21204

887-3317  
Fax 887-5696

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:      Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   August 8, 1996

FROM:    Pat Keller, Director  
         Office of Planning

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, (50), 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Gary L. Kerns*

PK/JL

MICROFILMED

Baltimore County Government  
Department of Community Development



One Investment Place Suite 800  
Towson, MD 21204

887-3317  
Fax 887-5696

Roz

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

DATE: Aug. 13, 1996

SUBJECT: Zoning Advisory Committee  
Meeting Date: Aug 12, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	43	52
	44	53
	45	54
	47	
	48	
	49	
	50	
	51	

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 08/14/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52,  
53 AND 54.

ENCLOSURE

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR VARIANCE  
421 Elmwood Road, E/S Elmwood Road,  
93' S of c/l Silverdale Road  
14th Election District, 6th Councilmanic

Marvin L. and Theresa R. Moser  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 97-56-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of September, 1996, a copy of the foregoing Entry of Appearance was mailed Marvin L. and Theresa R. Moser, 421 Elmwood Road, Baltimore, MD 21206, Petitioners.

*Peter Max Zimmer*

PETER MAX ZIMMERMAN

UNRECORDED



September 8, 1996

To Whom It May Concern:

This note is in regard to the "shed" in process on Elmwood Road (421 (?)).

This "shed" seems entirely too large (similar to a small barn). A shed we do not have a problem with though this structure seems entirely too large for the small amount of land these houses are allotted.

Anthony & Janney Vaught

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

JUANITA BOSSE

419 ELMWOOD RD. 21206

MAUREEN PITTS

419 ELMWOOD RD. 21206



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MARVIN 9TH ST SA MASIR

421 Elmwood RD

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

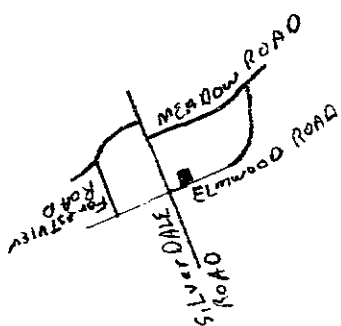
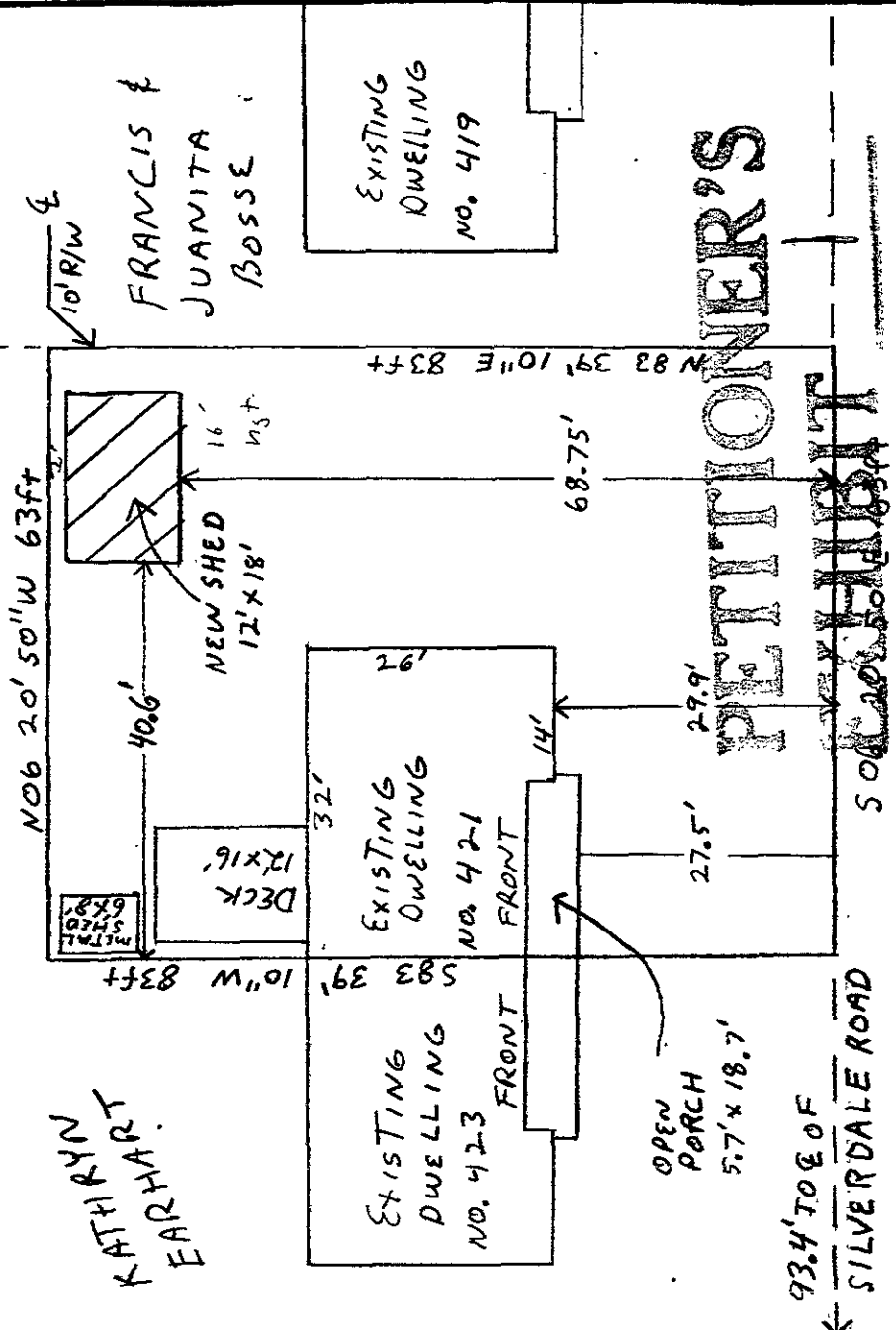
PROPERTY ADDRESS: 421 ELMWOOD RD

Subdivision name: DVSELEA

plat book # 14, folio # 11, lot # 278, section # 277

OWNER: MARVIN L & THERESA R

97-56-A



Vicinity Map  
North  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: 14  
Councilmanic District: 6  
1"-200' scale map#: NE 5-E  
Zoning: DR-5.5  
Lot size: 0.12 acreage 5229 square feet

SEWER: ☒ public ☐ private  
WATER: ☒ public ☐ private  
Chesapeake Bay Critical Area: ☒ yes ☐ no  
Prior Zoning Hearings: NONE

## Zoning Office USE ONLY!

reviewed by: ML ITEM #: 50 CASE #:

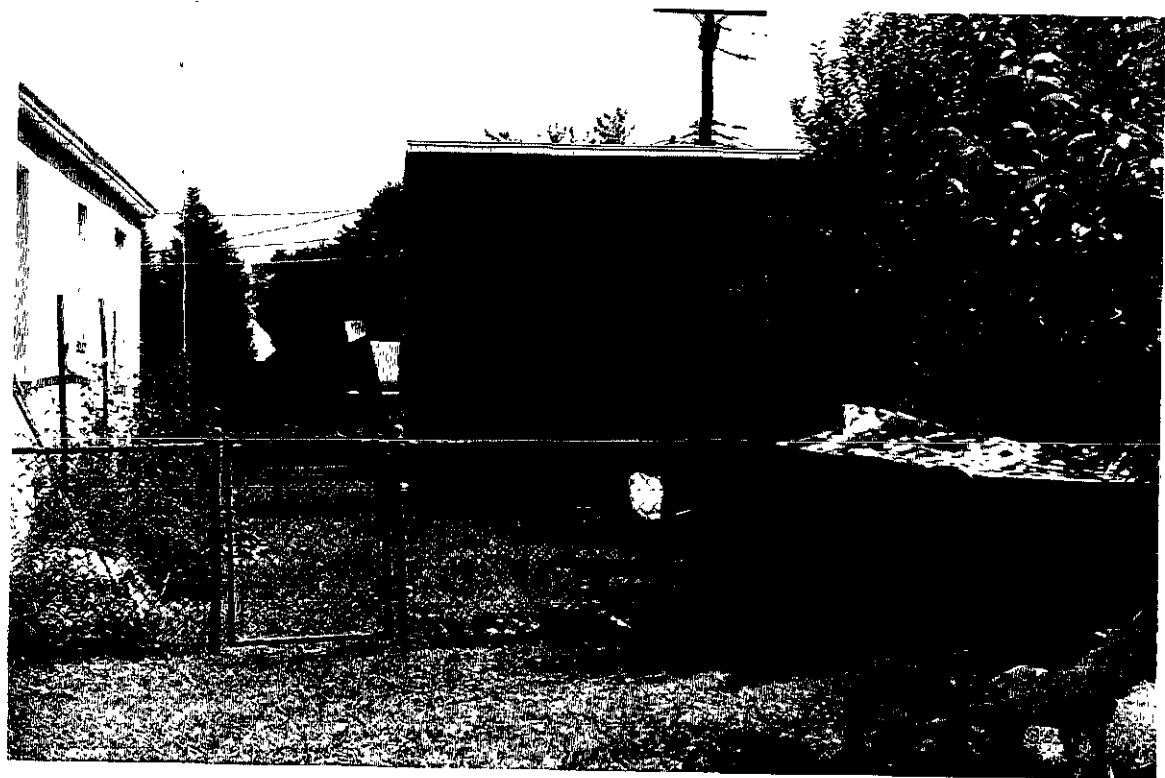
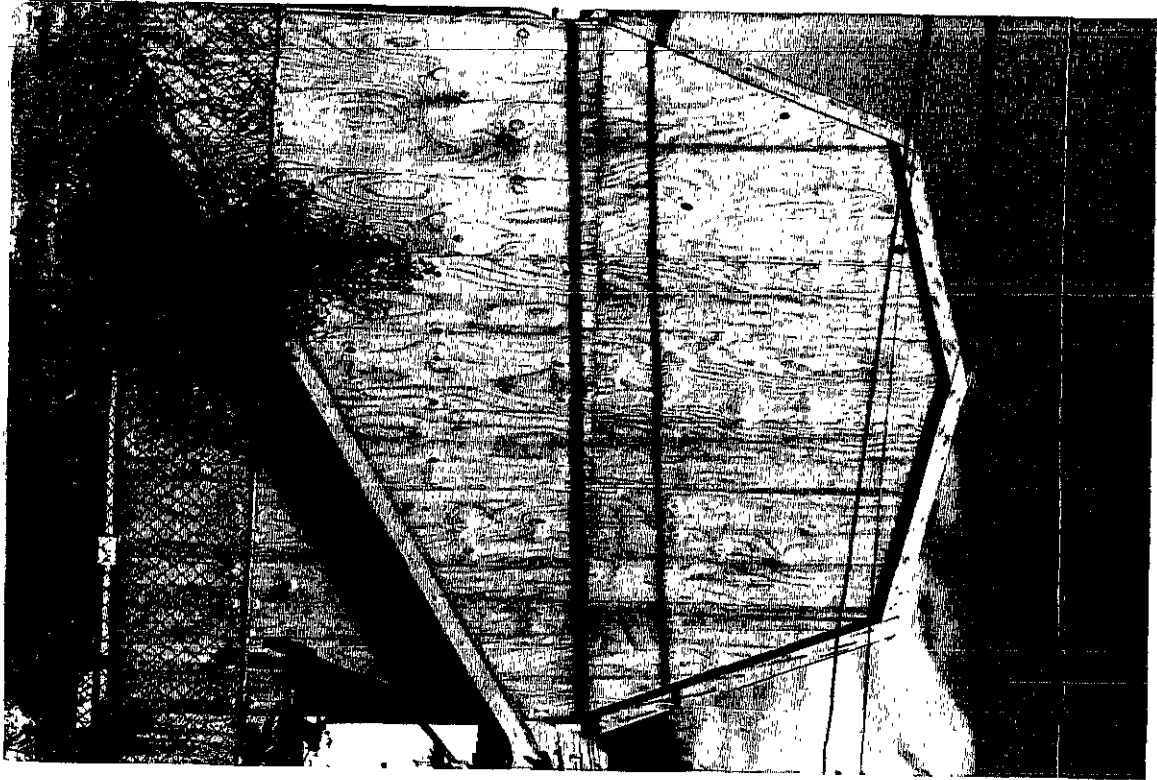
93.4' TO E OF  
SILVERDALE ROAD  
40' R/W 24' PAVING

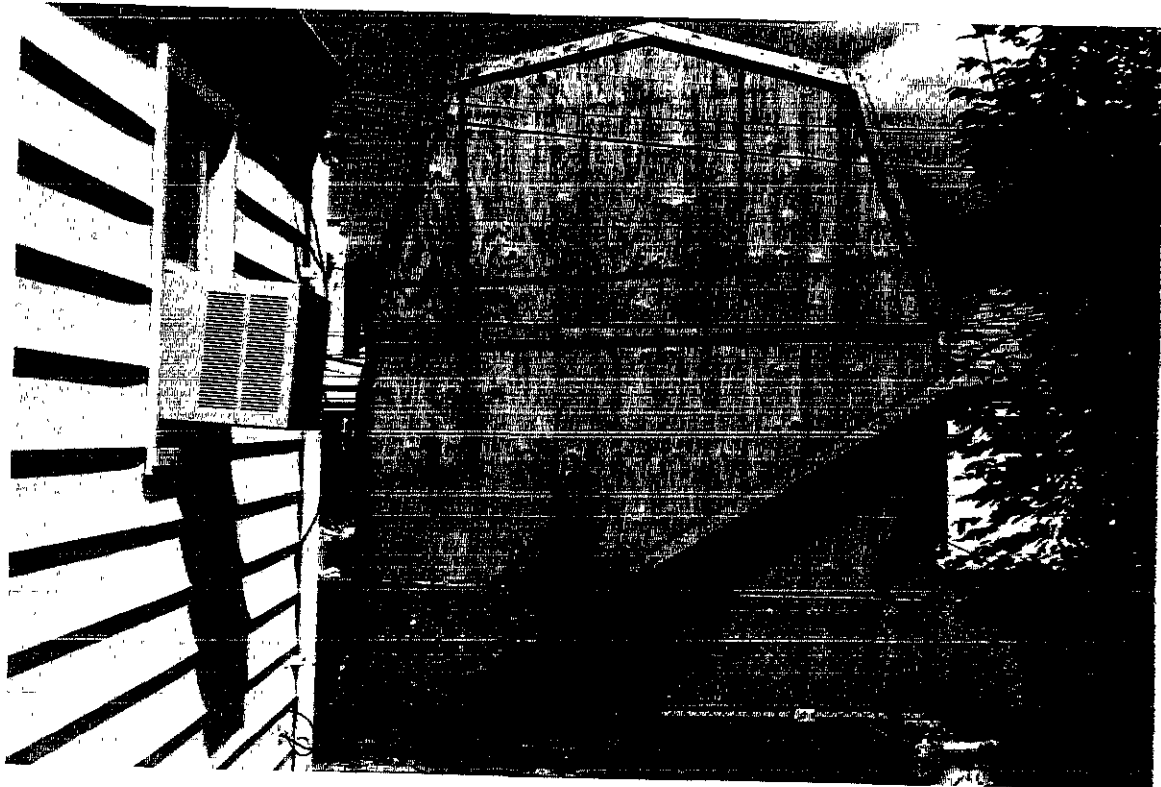
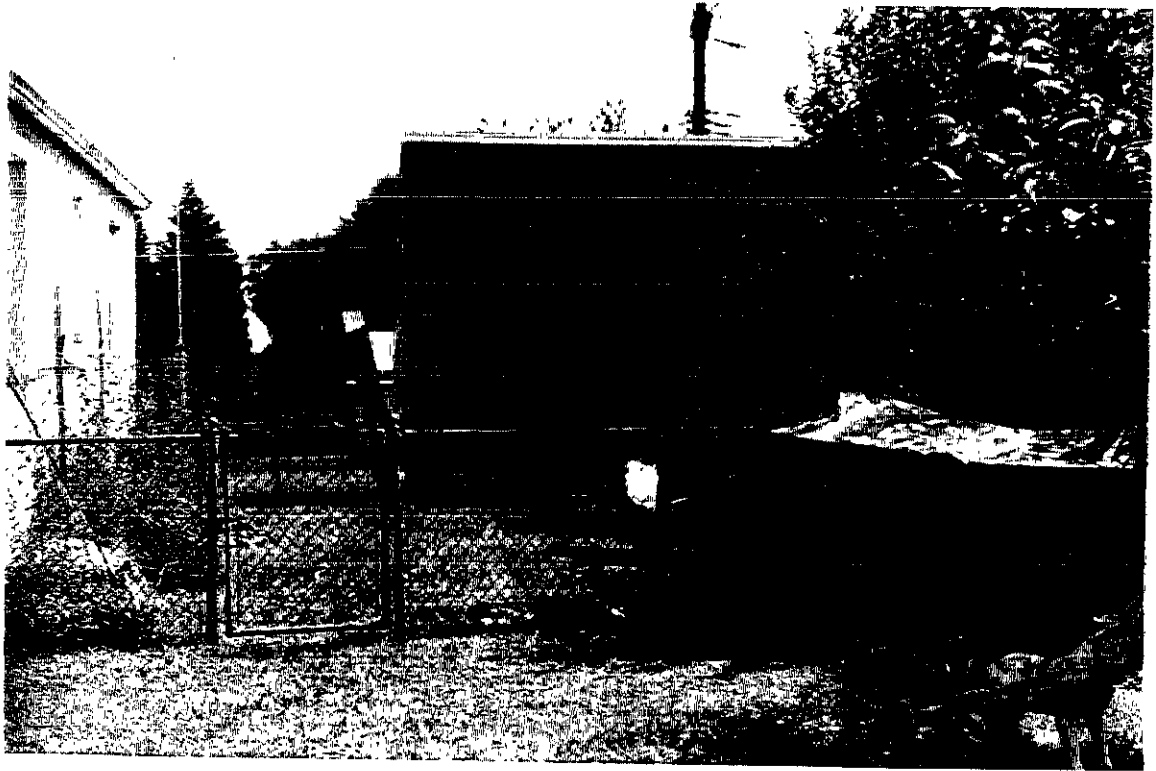
MICROFILMED  
North  
date: 7/31  
prepared by: MARVIN MOSEL Scale of Drawing: 1"=20'

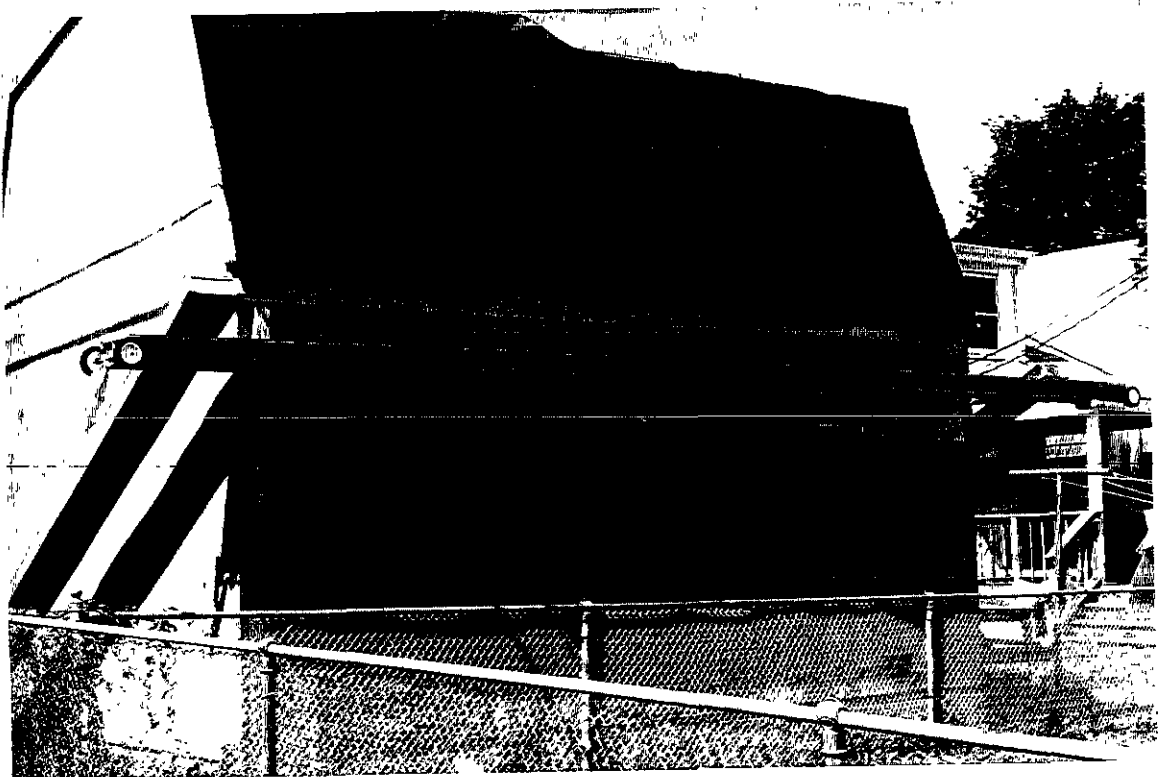
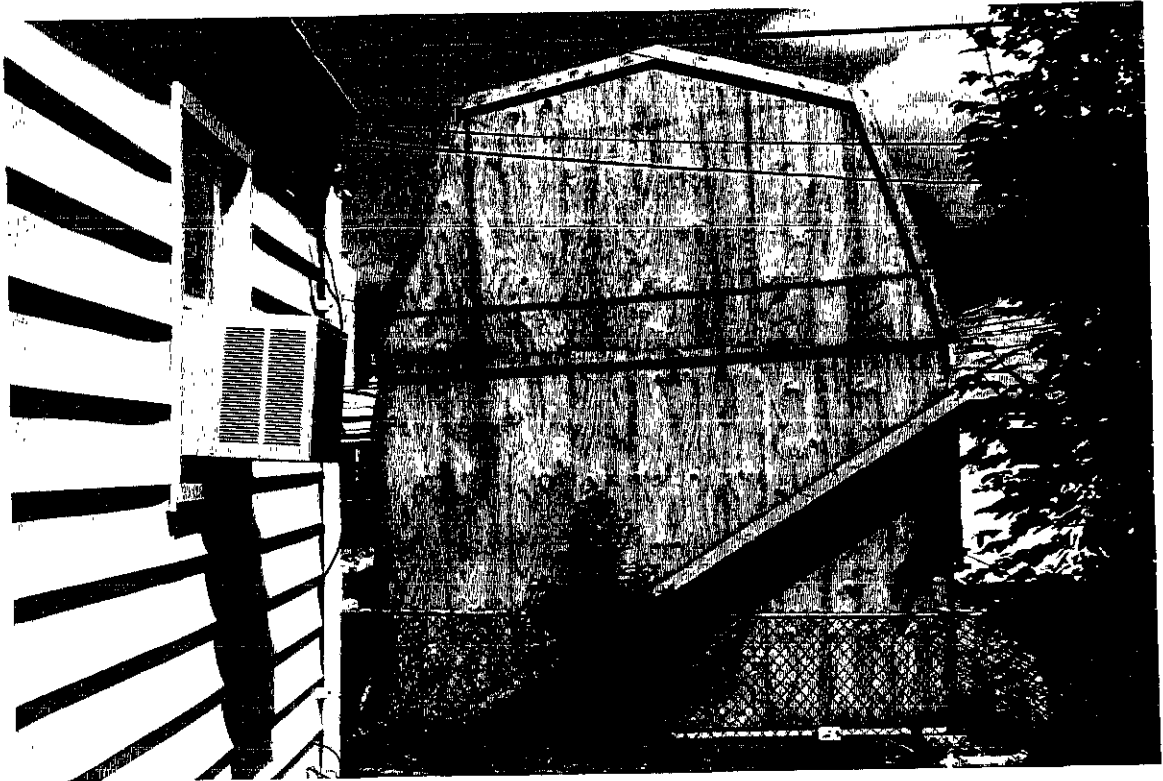
photographs

Case 97-56-A

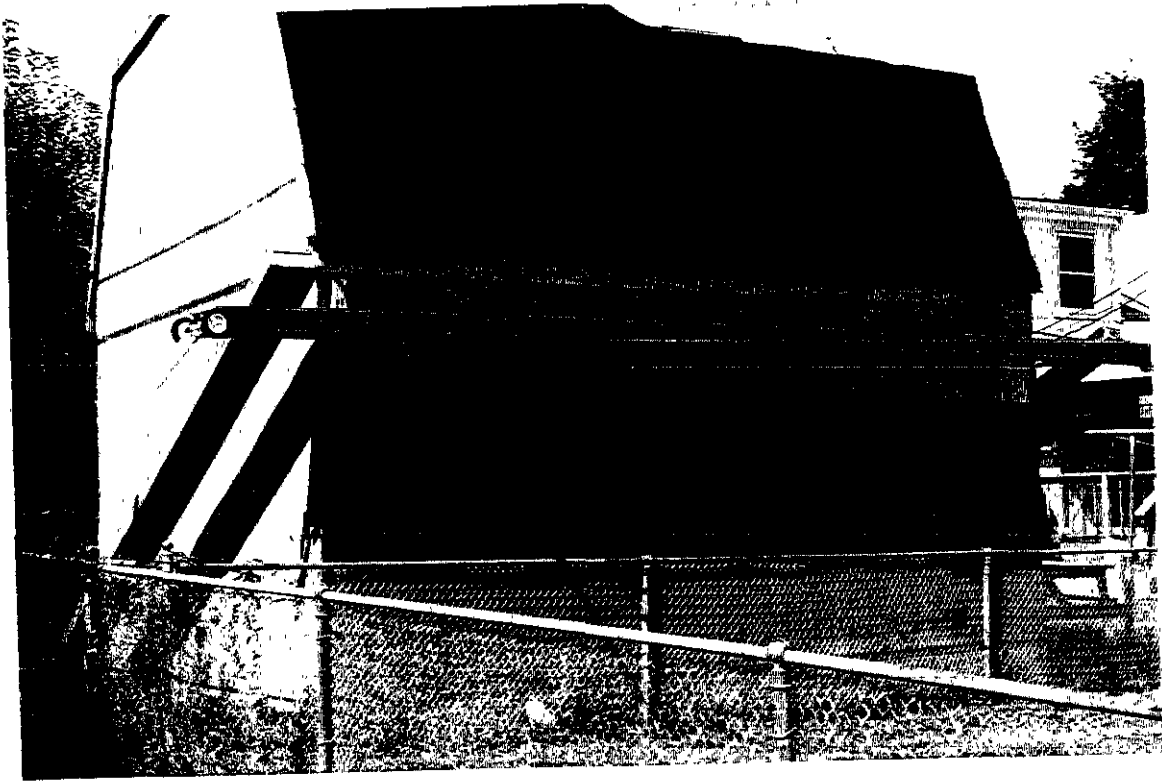
MICROFILMED













BALTIMORE COUNTY

SPRINGWOOD

COURT

AVE.

SPRINGWOOD

SPRINGWOOD

RASPE

AVENUE

FOREST

VIEW

AVENUE

GLENMORE

AVENUE

BELMAR

AVENUE

CHARLES

AVE.

DR. 5.5

DR. 5.5

MARGLENN

AVENUE

HOME

SILVERDALE

WECOTA

ROAD

ELMWOOD

FORESTVIEW

MEADOW

ELMWOOD

97-55-A

MEADOW

ROAD

ROAD

SAINT

PATRICK

ROAD

DALE

MAWANI

MEISE

RIDGEWAY

KENWOOD

AVENUE

SUSQUEHANNA

DR. 5.5

ELMWOOD  
ELEM. SCHOOL

TRANSMISSION

N E 5-E

1" = 200'

IN RE: PETITION FOR VARIANCE  
E/S Elmwood Road, 93' S of  
the c/1 Silverdale Road  
(421 Elmwood Road)  
14th Election District  
6th Councilmanic District  
Marvin L. Moser, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-56-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 421 Elmwood Road, located in the vicinity of Harford Road in Fullerton. The Petition was filed by the owners of the property, Marvin L. and Theresa R. Moser. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 2 feet in lieu of the minimum required 2 and 1/2 feet, and a height of 16 feet in lieu of the maximum permitted 15 feet, for an accessory structure (shed). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were Marvin and Theresa Moser, legal owners of the property. Appearing in opposition to the request were Juanita Bosse and Maureen Pitts, adjoining property owners.

Testimony and evidence offered revealed that the subject property consists of .12 acres, more or less, zoned D.R. 5.5 and is improved with a single family duplex dwelling with an attached deck. Also on the property are a 6' x 8' metal shed and another shed, 12' x 18' in dimension, which is the subject of this request. Testimony indicated that the Petitioner

recently commenced construction of the 12' x 18' shed. Construction of the shed was nearly complete when the Petitioner was issued a Stop Work Order for failing to obtain a building permit. Due to the height of the shed and it's close proximity to the rear property line a variance is necessary. The Petitioners testified that their home has no basement and that they built the shed in order to provide much needed storage space. Further testimony indicated that the shed will be finished with vinyl siding and shingles to match the home on the property.

Appearing in opposition to the Petitioners' request were Juanita Bosse and Maureen Pitts who reside on the adjacent property on the affected side. The Protestants are opposed to the granting of the relief requested. They testified that the shed is very visible from the rear of their home, where they spend a good deal of their time, and submitted photographs taken from their property which show that the shed is an imposing structure. Furthermore, they believe that the shed will impose upon the free flow of air across their property, given the size and magnitude of this structure.

After considering all of the testimony and evidence offered by both the Petitioners and the Protestants, I am persuaded to deny the variance. The size and location of the shed are inappropriate for the subject property, given its size and effect on the adjacent lot. In my view, the size of the structure should be reduced to meet the standards set forth in the zoning regulations. Therefore, the Petitioner shall lower the height of the shed to meet the 15-foot height limitation and move the structure an additional 6 inches off the rear property line. However, as was discussed at the hearing, lowering the height of the shed an additional 1 foot and moving same 6 inches, will do little to minimize the effect this shed will have on adjacent properties. Even at 15 feet in

height and 2 and 1/2 feet off the rear property line, as required by the regulations, this shed will still be an imposing structure; however, it will conform with the regulations set forth in the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24<sup>th</sup> day of September, 1996 that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (shed) with a rear yard setback of 2 feet in lieu of the minimum required 2 and 1/2 feet, and a height of 16 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

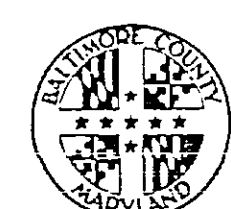
IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to bring the shed into compliance with the zoning regulations; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date: 9/11/96  
By: [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

September 24, 1996

Mr. & Mrs. Marvin Moser  
421 Elmwood Road  
Baltimore, Maryland 21206

RE: PETITION FOR VARIANCE  
E/S Elmwood Road, 93' S of the c/1 Silverdale Road  
(421 Elmwood Road)  
14th Election District - 6th Councilmanic District  
Marvin L. Moser, et ux - Petitioners  
Case No. 97-56-A

Dear Mr. & Mrs. Moser:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

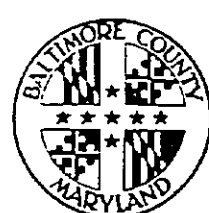
Very truly yours,  
Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Ms. Juanita Bosse and Ms. Maureen Pitts  
419 Elmwood Road, Baltimore, Md. 21206

People's Counsel

Fjs



## Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 421 Elmwood Rd  
97-56-A which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 400.1 and 400.3 to permit a 2 ft rear setback and a 16 ft height in lieu of 2 1/2 ft and 15 ft for an accessory structure.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) SHED IS NEARLY COMPLETED EXCEPT FOR ROOFING TILES, SIDING, DOORS AND WINDOWS.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zipcode

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

MARVIN L MOSER

(Type or Print Name)

Signature

THERESA R MOSER

(Type or Print Name)

Signature

JUANITA BOSSE

(Type or Print Name)

Signature

MAUREEN PITTS

(Type or Print Name)

Signature

Address

City State Zipcode

Name

Address

City State Zipcode

Name

Address

City State Zipcode

Name

Address

City State Zipcode

Name

Address

City State Zipcode

Name

Address

City State Zipcode

ZONING DESCRIPTION FOR 421 ELMWOOD ROAD 97-55-A

Beginning at a point on the East side of Elmwood Road which is 40 feet wide at a distance of 93.42 feet of the centerline of the nearest improved intersecting street Silverdale Road which is 40 feet wide. As recorded in Deed Liber 6730, Folio 346, S.06 20' 50" E. 63 ft., N.83 39' 10" E. 83 ft., N.06 20' 50" W. 63 ft., S.83 39' 10" W. 83 ft. to the place of beginning. Also know as 421 Elmwood Road and located in the 14 Election District, 6 Councilmanic District.

CASE NUMBER: 97-56-A (Item 50)  
421 Elmwood Rd.  
E/S Elmwood Road, 93' S of c/1 Silverdale Road  
14th Election District - 6th Councilmanic  
Legal Owner(s): Marvin L. Moser and Theresa R.

Variance to permit a 2 foot rear setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Post by: 8/25/96  
34EZ

#50

### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14 Date of Posting: 8/24/96

Posted for: 9-9-96 HEARINGS

Petitioner: MOSER

Location of property: 421 ELMWOOD RD

Location of Sign: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of return: \_\_\_\_\_

Number of Signs: \_\_\_\_\_

### CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 22, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 22, 1996

THE JEFFERSONIAN,

A. Henrichson  
LEGAL AD. - TOWSON

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the County Board of Appeals, hereby gives notice that a public hearing on the property described herein in Room 118 of the County Board of Appeals will be held on the date and at the place indicated below.  
Date: Monday, September 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.  
Case #97-56-A (Item 50)  
421 Elmwood Road  
E/S Elmwood Road, 93' S of c/1 Silverdale Road  
14th Election District - 6th Councilmanic  
Legal Owner(s): Marvin L. Moser and Theresa R. Moser  
Variance to permit a 2 foot rear setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.  
HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
By: \_\_\_\_\_  
Deputy Zoning Commissioner  
People call 887-3391.  
If you need more information, call 887-3391.  
9/1/96  
9/1/96





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

# 50

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 50 Petitioner: Marvin L. Moser

Location: 421 Elmwood Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARVIN MOSER

ADDRESS: 421 Elmwood Road

Baltimore, MD 21206

PHONE NUMBER: 410 661 3634

TO: FIFTHENTY PUBLISHING COMPANY  
August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Marvin  
421 Elmwood Road  
Baltimore, MD 21206  
661 3634

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-56-A (Item 50)  
421 Elmwood Road  
E/S Elmwood Road, 93' S of c/l Silverdale Road  
14th Election District - 6th Councilmanic  
Legal Owner(s): Marvin L. Moser and Theresa R.

Variance to permit a 2 foot car setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 15, 1996

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-56-A (Item 50)  
421 Elmwood Road  
E/S Elmwood Road, 93' S of c/l Silverdale Road  
14th Election District - 6th Councilmanic  
Legal Owner(s): Marvin L. Moser and Theresa R.

Variance to permit a 2 foot car setback and a 16 foot height in lieu of 2-1/2 feet and 15 feet for an accessory structure.

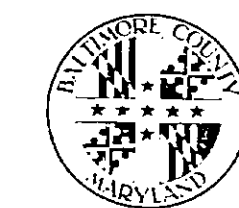
HEARING: MONDAY, SEPTEMBER 9, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: Marvin and Theresa Moser

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink  
on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Marvin L. Moser  
421 Elmwood Road  
Baltimore, MD 21206

RE: Item No.: 50  
Case No.: 97-56-A  
Petitioner: Marvin Moser, et ux

Dear Mr. and Mrs. Moser:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/rs  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 16, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for August 19, 1996  
Item Nos. 043, 045, 046, 047, 050,  
051, and 053

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE22

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: August 8, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, 50, 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kenna

PK/JL

ITEM49/PZONE/ZAC1

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: PDM  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

DATE: Aug 13, 1996

SUBJECT: Zoning Advisory Committee  
Meeting Date: Aug 12, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 43 52  
44 53  
45 54  
47  
48  
49  
50  
51

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government  
Fire Department

700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 08/14/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52, 53 AND 54.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1108F

cc: File

Printed with Soybean Ink  
on Recycled Paper



RE: PETITION FOR VARIANCE  
 421 Elmwood Road, E/S Elmwood Road,  
 93' S of c/l Silverdale Road  
 14th Election District, 6th Councilmanic  
 Marvin L. and Theresa R. Moser  
 Petitioners

BEFORE THE  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY  
 CASE NO. 97-56-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
 PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County  
*Charles S. Demilio*  
 CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed Marvin L. and Theresa R. Moser, 421 Elmwood Road, Baltimore, MD 21206, Petitioners.

*Peter Max Zimmerman*  
 PETER MAX ZIMMERMAN

September 8, 1996

To Whom It May Concern:

This note is in regard to the "shed" in process on Elmwood Road (421) (2). This shed runs entirely too large (similar to a small barn) & shed we do not have a problem with though this structure runs entirely too large for the small amount of land these houses are abutted.

Outlook - Sunny, Vague

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
MARVIN & THERESA MOSER	421 ELMWOOD RD

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
JUANITA BOSSE	419 ELMWOOD RD. 21206
MARGARET PITTS	419 ELMWOOD RD. 21206

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 421 ELMWOOD RD

Subdivision name: DVS/2/EA

plat book # 17, section 11, lot # 27, section 9

OWNER: MARVIN L. & THERESA R. MOSER 97-56-A

KATHRYN EARTHART  
 EXISTING DWELLING NO. 423  
 FRONT PORCH 5'7\" x 18'7\"  
 EXISTING DWELLING NO. 421  
 FRONT PORCH 27'5\" x 18'7\"  
 NEW SHED 12' x 18'  
 FRANCIS & JUANITA BOSSE  
 EXISTING DWELLING NO. 419

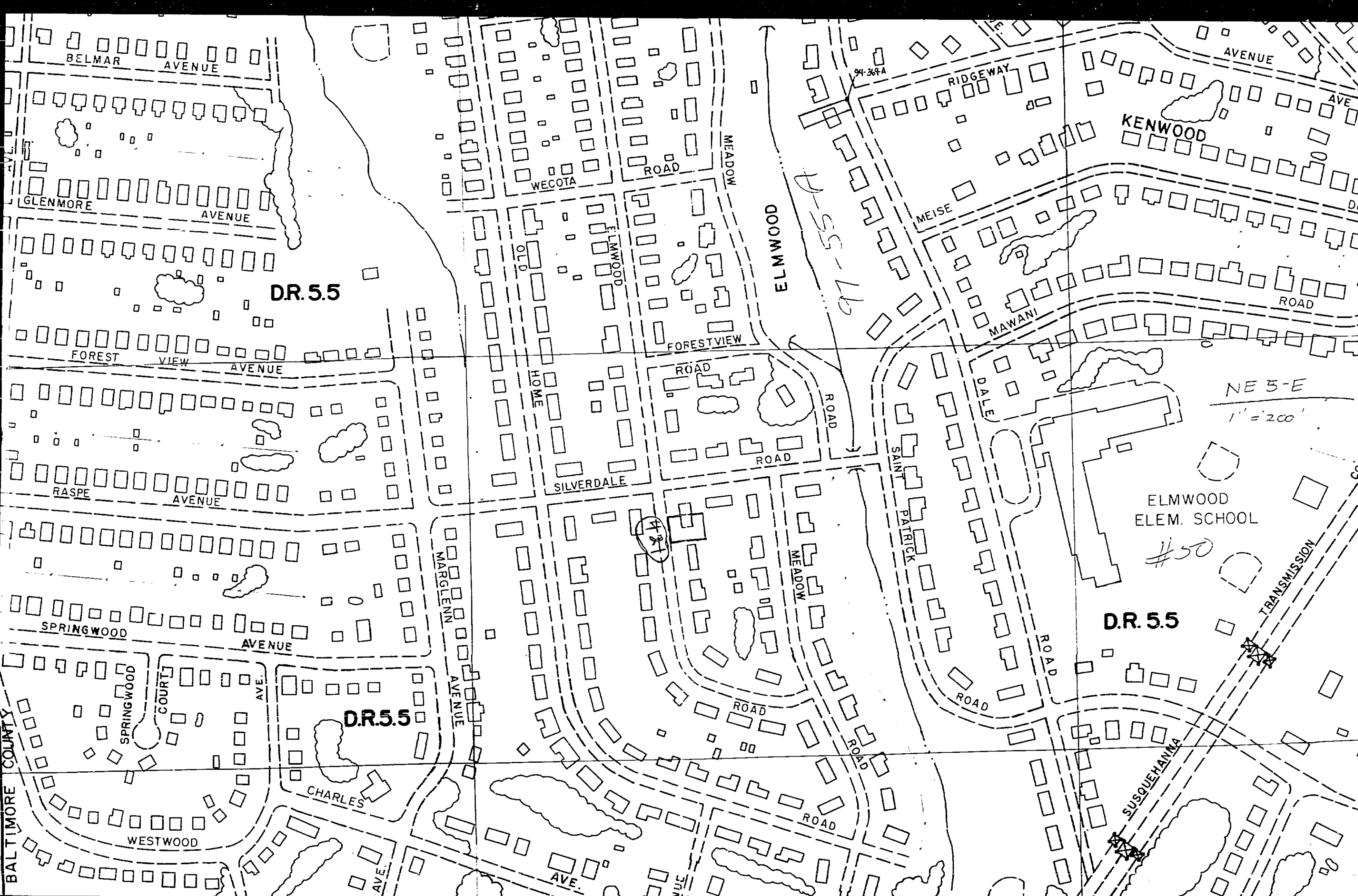
ELMWOOD ROAD (40' RW 24' PAVING)

North arrow pointing up.

date: 9/3/96  
 prepared by: MARVIN MOSER Scale of Drawing: 1\" = 20'

LOCATION INFORMATION  
 Election District: 14  
 Councilmanic District: 6  
 1\"=200' scale map: NE 5-E  
 Zoning: DR-5.5  
 Lot size: 5229 square feet  
 acreage: .12  
 SEWER: ☒  
 WATER: ☒  
 Chesapeake Bay Critical Area: ☒  
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
 reviewed by: *mjl* ITEM #: 50 CASE#:



photographs  
 Case 97-56-A

